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Attorneys for Kimberly Andre Fouche

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
NORTHERN DIVISION**

In Re:

Kimberly Andre Fouche.

Debtor

Kimberly Andre Fouche

Plaintiff,

vs.

United States Department of Education
Missouri Higher Education Loan Authority
(MOHELA), and DOES 1 through 10

Defendants.

CHAPTER 7

CASE NO. 9:22-bk-11023-RC

ADVERSARY

CASE NO. 9:23-ap-01014-RC

**STIPULATION TO DISMISS ADVERSARY
CASE**

STATUS CONFERENCE:

Date: October 11, 2023

Time: 10:00 AM

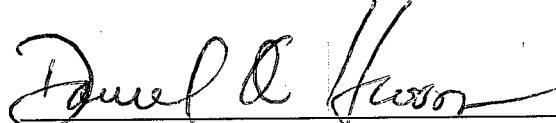
**Place: Courtroom 201
1415 State Street
Santa Barbara, CA 93101**

***The Honorable Ronald A. Clifford III
Presiding***

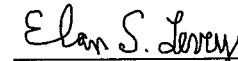
COMES NOW, THE Plaintiff, Kimberly Andre Fouche, and The Defendant, The United States Department of Education, the only parties to the above referenced Adversary Proceeding, and hereby jointly stipulate that because Plaintiff's total and permanent disability discharge application has been approved and the discharge of Plaintiff's Student Loans has been

1 effectuated, subject to the three-year monitoring period, the above entitled adversary case can
2 forthwith be dismissed and the October 11, 2023 Status Hearing can be vacated.

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4 Dated this 31 day of August, 2023.


Kimberly Andre Fouche, by her Attorney,
Daniel A. Higson

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6
7
8 Dated this 31st day of August, 2023


E. MARTIN ESTRADA
United States Attorney
DAVID M. HARRIS
Assistant United States Attorney
Chief, Civil Division
JOANNE S. OSINOFF
Assistant United States Attorney
Chief, Complex and Defensive
Litigation Section

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
5450 Telegraph Road, Suite 250-C
Ventura, CA 93003

A true and correct copy of the foregoing document entitled (*specify*): Stipulation to Dismiss Adversary Case will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **August 30, 2023**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Jeremy W. Faith (TR) Trustee@MarguliesFaithlaw.com, C118@ecfcbis.com;
Helen@MarguliesFaithLaw.com; leedowding@gmail.com

Elan S Levey on behalf of Defendant U.S. Department of Education; elan.levey@usdoj.gov; julie.morales@usdoj.gov;
United States Trustee (ND) ustpreion16.nd.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL:

On **August 30, 2023**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Civil Process Clerk, Office of the United States Attorney, Room 7516, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012

Attorney General, U.S. Department of Justice, Ben Franklin Station, Post Office Box 683, Washington, D.C. 20044

United States Department of Education, Office of general Counsel, 400 Maryland Avenue, SW, Room 6E353
Washington, D.C. 20202

The Honorable Ronald A. Clifford, III, United States Bankruptcy Court, Central District of California, 1415 State Street, Suite 233 / Courtroom 201, Santa Barbara, CA 93101-2511

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

August 30, 2023
Date

Daniel A. Higson 71212
Printed Name

/s/ Daniel A. Higson
Signature